



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

JAN 11 2018

REPLY TO THE ATTENTION OF:  
WC-15J

**CERTIFIED MAIL 7016 3010 0000 9203 4004**  
**RETURN RECEIPT REQUESTED**

Ex. 6. (Personal Privacy)

Ex. 6 (Personal Privacy)

Subject: September 24, 2015 EPA Compliance Evaluation Inspection at Ex. 6.  
Ex. 6. (Personal Privacy) Swine Farm ILA000115

Dear Mr. Ex. 6. (Personal Privacy)

Enclosed, please find a copy of the U.S. Environmental Protection Agency Inspection Report for the Concentrated Animal Feeding Operation inspection conducted at the Ex. 6. (Personal Privacy) Swine facility on September 24, 2015. The purpose of the inspection was to evaluate and document compliance of the Ex. 6 (Personal Privacy) Swine facility with the Clean Water Act.

During the inspection, EPA observed a denuded, burnt vegetation pathway leading from mortality compost pile to the storm water culvert between the middle barn and the southern barn. A precipitation event could cause the leachate from the mortality compost bunker to flow west into the storm water culvert between the barns and outlet into the corn field. EPA did not observe any nearby waterways due to the crops still being on the field.

EPA recommends better housekeeping and management of the mortality compost piles, so that the compost leachate does not make it into the culvert inlet between the middle and southern barns.

Thank you for your prompt attention to this matter. If you have any questions, please contact Cheryl Burdett of my staff at (312) 886-1463.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ryan J. Bahr". The signature is fluid and cursive, with the first name "Ryan" and last name "Bahr" clearly distinguishable.

Ryan J. Bahr, Chief, Section 2  
Water Enforcement and Compliance Assurance  
Branch

Enclosures

cc: Lee Heeren, IEPA

**CWA COMPLIANCE EVALUATION INSPECTION REPORT**  
**U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 5**

**Purpose:**

Compliance Evaluation Inspection – Oversight Inspection

**Facilities:**

Ex. 6. (Personal Privacy) Swine Farm

Ex. 6. (Personal Privacy)

Swine Farm

Ex. 6 (Personal Privacy)

Ex. 6 (Personal Privacy)

**NPDES Permit Number:**

N/A

**Date of Inspection:**

September 24, 2015

**EPA Representatives:**

Cheryl Burdett, CAFO Program Manager

312-886-1463

[Burdet.cheryl@epa.gov](mailto:Burdet.cheryl@epa.gov)

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**State Representatives:**

Lee Heeren, Agricultural Engineer

**Facility Representatives:**

Ex. 6. (Personal Privacy)

Owner of

Ex. 6. Ex. 6 (Personal Privacy)

Swine Farm

Ex. 6. (Personal Privacy)

Ex. 6. (Personal Privacy)

Owner of

Ex. 6. Ex. 6 (Personal Privacy)

Swine Farm

**Inspector Signature:**

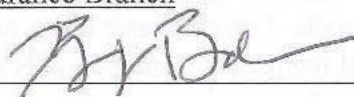


**Approval Date:**

11/11/18

**Approver Title:** Ryan Bahr, Section 2 Chief, Water Enforcement and Compliance  
Assurance Branch

**Approval Signature**





## 1. BACKGROUND

The purpose of this report is to describe, evaluate and document Ex. 6. and Ex. 6. Ex. 6. (Personal Privacy) compliance with the Clean Water Act (CWA) at their Fulton, Illinois facilities on September 24, 2015. The inspections were performed pursuant to Section 308(a) of the Federal Water Pollution Control Act, as amended.

At the time of the inspection on September 24, 2015, Ex. 6. (Personal Privacy) Swine Farm Ex. 6. (Personal Privacy) was a large swine operation with approximately 4800 swine greater than 55 pounds. EPA asked if there were other facilities that Ex. 6. (Personal Privacy) owned or shared equipment for land application. In response, Ex. 6. (Personal Privacy) provided information about his brother, Ex. 6. (Personal Privacy) operation, who had approximately 2400 swine greater than 55 pounds and his father's operation, who had 900 swine greater than 55 pounds. Ex. 6. (Personal Privacy) uses his father's land application equipment to apply the manure and process wastewater from his facility, his brother's, facility and his father's facility. EPA did inspect Ex. 6. (Personal Privacy) and his Ex. 6. (Personal Privacy) production area. Ex. 6. (Personal Privacy) production area also had mortality compost site, at the time of the inspection. EPA did not observe any runoff pathways from the mortality compost site or discharges at Ex. 6. (Personal Privacy) facility.

Upon arriving at Ex. 6. (Personal Privacy) facility at approximately 9:55 AM, EPA donned their disposable rubber boots. EPA personnel at this time presented credentials to Ex. 6. (Personal Privacy) owner; and confirmed that their government vehicle was parked in an approved location (south of residence in front of office).

EPA explained to Ex. 6. (Personal Privacy) that the purpose of the inspection was to determine compliance with the Clean Water Act and to conduct an oversight inspection on Illinois Environmental Protection Agency's inspection done on April 3 and 4, 2014. EPA provided an entry interview, which explained the process of Region 5's CAFO inspections: ask questions from Region 5 EPA's CAFO boilerplate checklist, review the Nutrient Management Plan (NMP), and conduct a walk-through of the production area.

During IEPA's April 3 and 4, 2014 inspection, IEPA noted that the facility had problems with not properly disposing of its dead hogs that were outside the barns. IEPA had done a follow-up inspection and noted that proper composting of the hogs was being done. IEPA also noted that Ex. 6. (Personal Privacy) had a Comprehensive Nutrient Management Plan (CNMP) that "was developed by Maurer-Strutz of Peoria in 2006. It was reviewed in the farm office, but was out of date Ex. 6. (Personal Privacy) had recent manure application maps, manure and soil testing was up to date, etc., on his computer".

Surface flow off of Ex. 6. (Personal Privacy) production area flows through a ditch approximately three quarters of a mile east and then into another ditch that flows south and then west into perennial Cattail Creek. Cattail Creek flows northwest and then west into the Mississippi River, a traditional navigable waterway (TNW).

## 2. SITE INSPECTION

**Table 1: Site Entry**

<b>Arrival Time:</b>	9:55 A.M.
<b>Temperature:</b>	65°F
<b>Precipitation:</b>	Precipitation was forecasted, but <b>Ex. 6.</b> <b>Ex. 6. (Personal Privacy)</b> or his <b>Ex. 6 (Personal P)</b> swine operation did not receive any precipitation at their facilities.
<b>Presented credentials?</b>	Yes
<b>Credentials presented to whom?</b>	Owner
<b>EPA vehicle parked in approved location?</b>	Yes
<b>Location where EPA vehicle was parked?</b>	By the office
<b>Disposable boots worn?</b>	Yes
<b>Date of Other bio-security measures taken:</b>	Vehicle washed on September 24, 2015

### **2.1 Records Review** (The following Records Review tables reflect information provided before the walk-through of the facility, unless otherwise noted.)

**Table 2: Documents**

<b>Checklist(s) Used</b>	
R5 CAFO Boilerplate Inspection Report created using the R5 CAFO Inspection Checklist	
<b>Facility Documents Reviewed:</b>	
Yes. Records logged into <b>Ex. 6. (Personal Privacy)</b> computer. Information kept on his computer included: Date and how much manure was pumped out from the underground pits; Mortality numbers; Manure testing records; Manure transfer records; and Soil test records for each field <b>Ex. 6.</b> applied manure to.	
<b>If photographs or documents were taken, does the facility consider any to be Confidential Business Information (CBI)?</b>	No

**Table 3: Facility Description**

Type of Animal	Number of Animals	Capacity	Type of Confinement
<b>Ex. 6 (Personal Privacy)</b> Swine	4800	4800	Confinement Barn
<b>Ex. 6 (Personal P)</b> Swine Barn	900	900	Confinement Barns
<b>Ex. 6 (Personal Privacy)</b> house	2400	2400	Confinement Barns
<b>Minimum Number of Animals in previous 5 years:</b>			As listed above
<b>Maximum Number of Animals in previous 5 years:</b>			As listed above



<b>Number of Animals that are stabled/confined and/or fed/maintained for 45 days or more in previous 12 months:</b>	8100 combined swine greater than 55 pounds at Ex. 6. Ex. 6. and his Ex. 6. site.
<b>Amount of liquid Manure Generated per year:</b>	2.5 million gallons from Ex. 6. (Personal Privacy) facility 850,000 gallons from Ex. 6. (Personal Privacy) facility
<b>(Illinois Only) Name of Certified Livestock Manager for facility: (if 300 animal units or greater):</b>	
<b>Does the facility have an NPDES Permit?</b>	No
<b>SIC or NAICS code:</b>	0213
<b>Other facilities under common ownership (name and address): Yes</b>	
Ex. 6 (Personal Privacy) or Ex. 6 (Personal Privacy) in Fulton, Illinois	

**Table 4: Livestock Waste Storage**

Type of Storage	Storage Capacity	Type of Liner	Depth Markers Present	Last Time Waste was Removed	Amount of Waste Removed	Days of Storage
Ex. 6 (Personal Privacy) site underground deep pits	2.5 million gallons	Concrete	No	August 2016	280,000 gallons	365 days
Ex. 6 (Personal Privacy) site underground pit	Approximately 850,000 gallons	Concrete	No	Not sure	Not sure	Included in the 365 days
<b>Records at site of storage structure design?</b>				No		
<b>Additional Information:</b>				Two 1200 hog barns built in 2004. Built another barn in 2006 that holds an additional 2400 hogs. Ex. 6. site holds 2400 hogs.		

**Table 5: Livestock Waste Management**

<b>Describe the way manure is collected and disposed of at the facility:</b>
The barns all have slotted floors, so all manure is collected in the underground deep pits at all three sites. Spilled water from the drinkers and feed for the hogs goes into the underground pits. Ex. 6. (Personal Privacy) and their Ex. 6. underground pits are 8 feet deep and have a combined storage of 365 days of storage of manure.

<b>Describe the way used bedding is collected and disposed of at the facility:</b>
No bedding is used.
<b>Describe the way mortalities are managed at the facility:</b>
Both <b>Ex. 6. (Personal Privacy)</b> compost their mortalities on site with sawdust.
<b>Describe the way spilled drinking water is collected and disposed of at the facility:</b>
Spilled drinking water is handled with the manure.
<b>Describe the way mist cooling water is collected and disposed of at the facility:</b>
No mist cooling is used.
<b>Describe how chemicals are stored and how used or spilled chemicals are collected and disposed of at the facility:</b>
No chemicals are on site.
<b>Describe the way water that has been used to wash/flush barns is collected and disposed of at the facility:</b>
Wash water goes into the underground pits through the slotted floors.
<b>Describe the way feed is contained and how runoff from feed is collected and disposed of at the facility:</b>
Feed is contained in bulk bins and spilled feed is cleaned up.

**Table 6: Land Application and Disposal of Manure and Process Wastewater**

<b>When was the last time a sample was taken of the manure and/or process wastewater?</b>	November and December of 2013
<b>Number of acres available for land application:</b>	4280 acres available
<b>Are land application records kept?</b>	Yes – on <b>Ex. 6.</b> computer in the office.
<b>Is manure transferred off-site to another party?</b>	<b>Ex. 6 (Personal Privacy)</b> land
<b>Are manure transfer records maintained?</b>	Yes – on <b>Ex. 6.</b> computer in the office.

**Table 7: Receiving Surface Waters**

<b>Describe the surface flow pathways:</b>	
Surface flow off of Ex. 6. (Personal Privacy) production area is through a ditch east of the production area that flows east to another ditch that flows south and then west into Cattail Creek. Cattail Creek, which is a perennial waterway that flows northwest into the Mississippi River.	
<b>How many months out of the year is there flow in the nearest surface water pathway:</b>	Cattail Creek is a perennial creek, but the ditches are intermittent.
<b>Are there any storm water pathways entering the facility?</b>	No
<b>Are there any clean water ponds on site?</b>	No
<b>What is the name of the first Traditional Navigable Water (TNW) for surface flow from the facility?</b>	Mississippi River
<b>Is the surface water pathway nearest to the facility considered to be ephemeral, intermittent or perennial?</b>	Intermittent
<b>Is the surface water pathway nearest to the facility considered to be impaired?</b>	Not assessed

**Table 8: Nutrient Management Plan**

<b>NMP on site?</b>	Not an entire NMP. Ex. 6. (Personal Privacy) had land application records available for review at the time of the inspection on his computer in his office. They were updated in October and November of 2014.
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**Table 9: Land Application Records**

Yes, Land application records were available.

**Table 10: Facility Records**

Records on Ex. 6. computer included: When manure was last emptied. Mortalities; Manure testing; Manure transfer records; and Soil test records.

## **2.2 Walkthrough of the Facility**

After completing the checklist in Ex. 6. (Personal Privacy) office, EPA walked southeast to the location of where the swine are kept in three barns. The northern barn and middle barn hold 1200 swine each. The southern barn holds 2400 swine. EPA started walking clockwise, and walked between each of the barns to observe how storm water was managed at the site and if it was coming into contact with feed, manure, etc. (See Attachment A – Aerial Map of Facility.)

Between the middle and southern barns was the mortality compost bunker which had no containment and no roof to prevent precipitation from coming into contact with the mortality compost piles. At the time of the inspection, EPA observed a burned and denuded pathway from the mortality compost piles leading to the storm water culvert inlet. At the time of the inspection, there was no discharge occurring. EPA did observe the culvert outlet which was at the edge of the land application field that had evidence of nutrient build-up. Due to the crops being on the field, EPA did not observe a nearby surface waterway for these nutrients to discharge into.

EPA inspected Ex. 6. (Personal Privacy) swine barn. EPA did not observe any issues with runoff or any discharges from his Ex. 6. Barn. EPA also drove to Ex. 6. (Personal Privacy) brother's farm Ex. 6. (Personal Privacy) and walked around Ex. 6. production area on the same day as Ex. 6. (Personal Privacy) Swine Farm inspection. EPA walked around the one barn, which held 2400 swine greater than 55 pounds and the mortality compost site. EPA did not observe any runoff pathways or visible discharges at his brother's production area at the time of the inspection.

Barn fans contributed to denuded areas and feed was on the ground under and around the fans. The facility had no containment to collect the feed from the fan blowouts. EPA did not observe any of the feed on the ground discharging or any denuded or burnt vegetation leading into a surface water at the time of the inspection.



**Photo Log- Attachment A**  
**Ex. 6. (Personal Privacy) Swine Farm**  
**Ex. 6. (Personal Privacy) Swine Farm**  
**Photographer – Ben Atkinson**  
**Ricoh WG-4 GPS**

Time on the camera was an hour earlier than the actual time of when the photo was taken, which is why the time on the photo is different than the description below the picture.



Photo: RIMG0182

Description: EPA parked at the residence and walked to the production area.

Camera Direction: southwest

Date/Time: September 24, 2015 at 11:09 AM

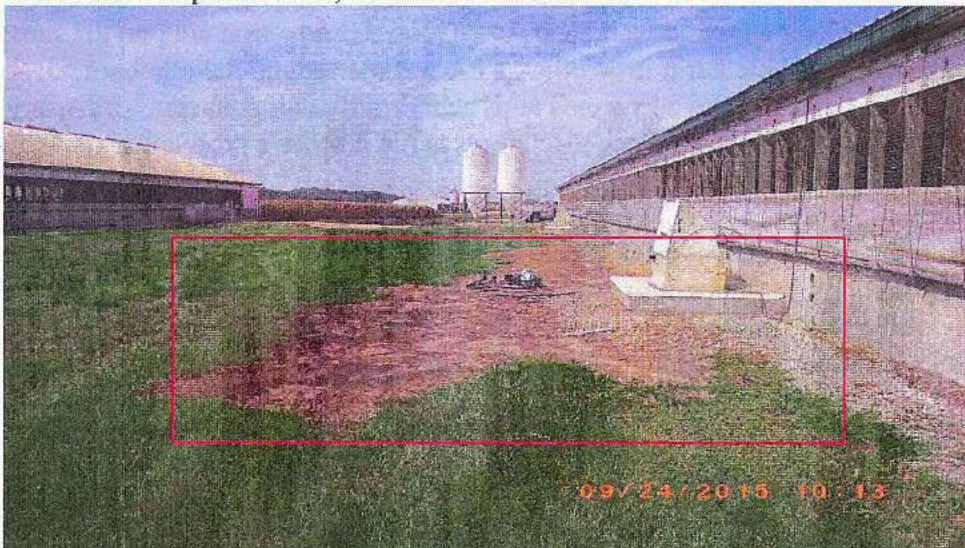


Photo: RIMG0183

Description: Between the northern barn and middle barn. Area around the fan was denuded (as shown in the outlined area in red).

Camera Direction: west

Date/Time: September 24, 2015 at 11:13 AM





Photo: RIMG0184

Description: Storm water drain between northern barn and middle barn on the east side of the production area.

Camera Direction: west

Date/Time: September 24, 2015 at 11:15 AM

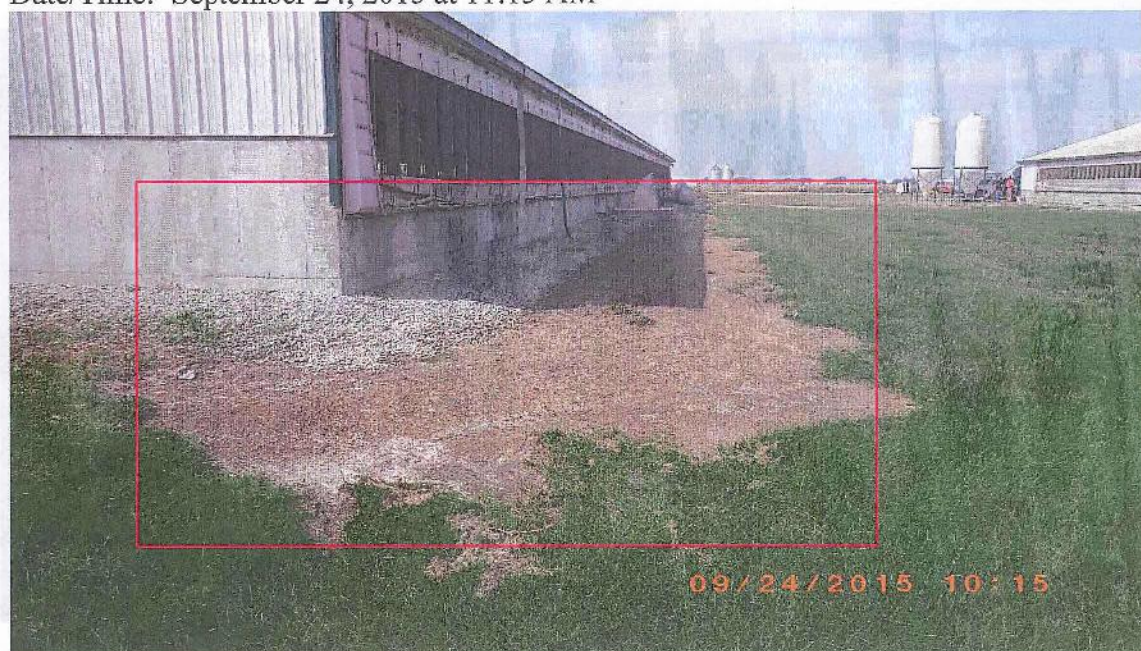


Photo: RIMG0185

Description: Northeast corner of the middle barn was denuded (area outlined in red).

Camera Direction: west

Date/Time: September 24, 2015 at 11:15 AM



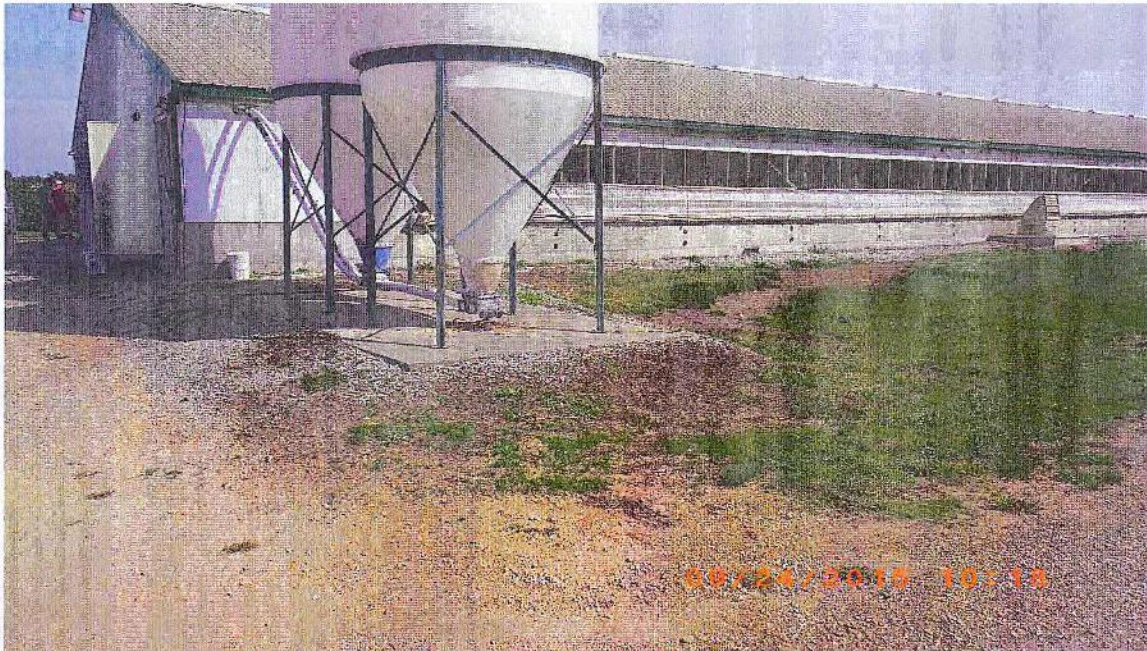


Photo: RIMG0186

Description: Bulk bins for storage of feed for middle barn.

Camera Direction: North

Date/Time: September 24, 2015 at 11:18 AM



Photo: RIMG0187

Description: Between middle and southern barns denuded and burnt vegetation caused by the runoff from the mortality compost bunkers between the buildings (arrow showing direction of flow into storm water culvert).

Camera Direction: west

Date/Time: September 24, 2015 at 11:19 AM





Photo: RIMG0188

Description: Culvert outlet from culvert inlet between middle and southern barns. The culvert inlet is designed to remove clean water from the production area site. No flow was coming out at the time of the inspection. However, nutrient buildup appears around the culvert outlet.

Camera Direction: East

Date/Time: September 24, 2015 at 11:20 AM

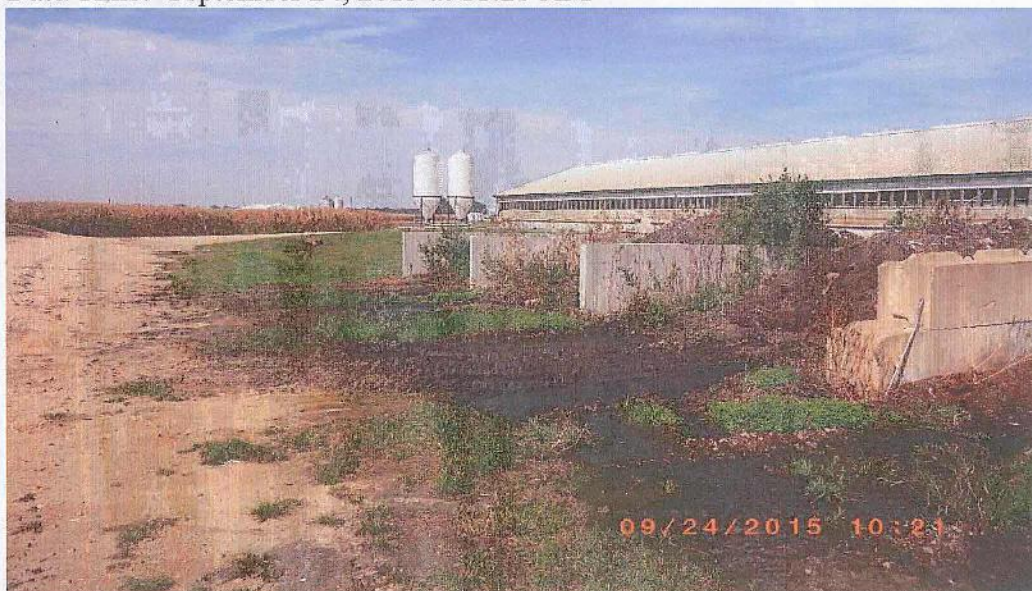


Photo: RIMG0189

Description: Mortality compost bunker between middle and southern barns. No containment. When precipitation comes into contact with the mortality compost pile, it could flow west into the storm water culvert between the middle and southern barns.

Camera Direction: west

Date/Time: September 24, 2015 at 11:21 AM



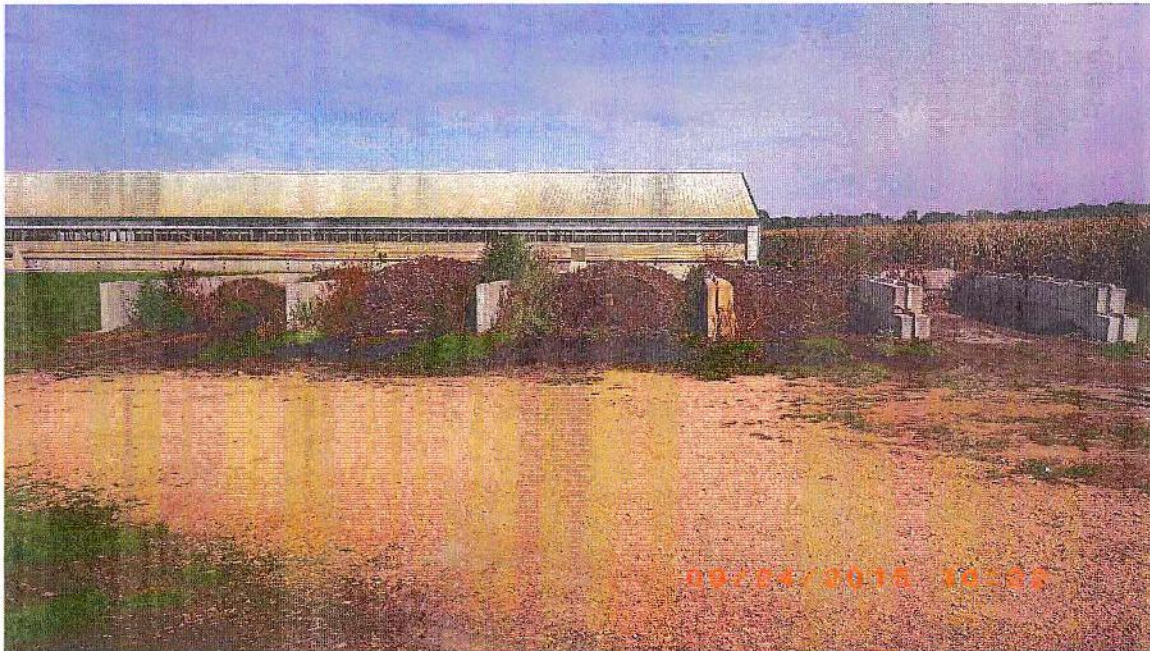


Photo: RIMG0190

Description: Mortality compost pile bunker

Camera Direction: north

Date/Time: September 24, 2015 at 11:22 AM



Photo: RIMG0191

Description: Southeast side of mortality compost bunker

Camera Direction: north

Date/Time: September 24, 2015 at 11:23 AM





Photo: RIMG0192

Description: Northeast corner of mortality compost bunkers

Camera Direction: west

Date/Time: September 24, 2015 at 11:23 AM



Photo: RIMG0193

Description: Leachate residue from mortality compost bunker seeping through concrete blocks of the mortality compost bunker.

Camera Direction: south

Date/Time: September 24, 2015 at 11:24 AM





Photo: RIMG0194

Description: Fan from the southern barn

Camera Direction: west

Date/Time: September 24, 2015 at 11:27 AM



Photo: RIMG0195

Description: Walking on the south side of the southern barn

Camera Direction: west

Date/Time: September 24, 2015 at 11:28 AM





Photo: RIMG0196

Description: Denuded vegetation underneath and in blow out pathway from southern barn fan on the south side of southern barn.

Camera Direction: northwest

Date/Time: September 24, 2015 at 11:28 AM

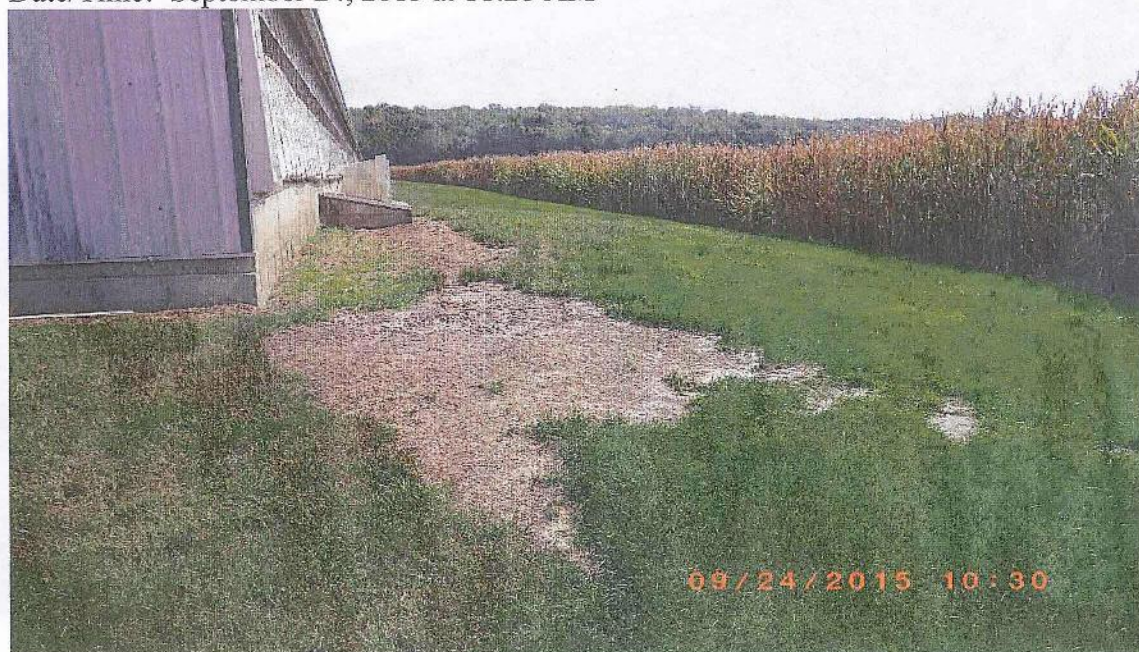


Photo: RIMG0197

Description: Denuded vegetation on the southwest corner of the southern barn.

Camera Direction: east

Date/Time: September 24, 2015 at 11:30 AM



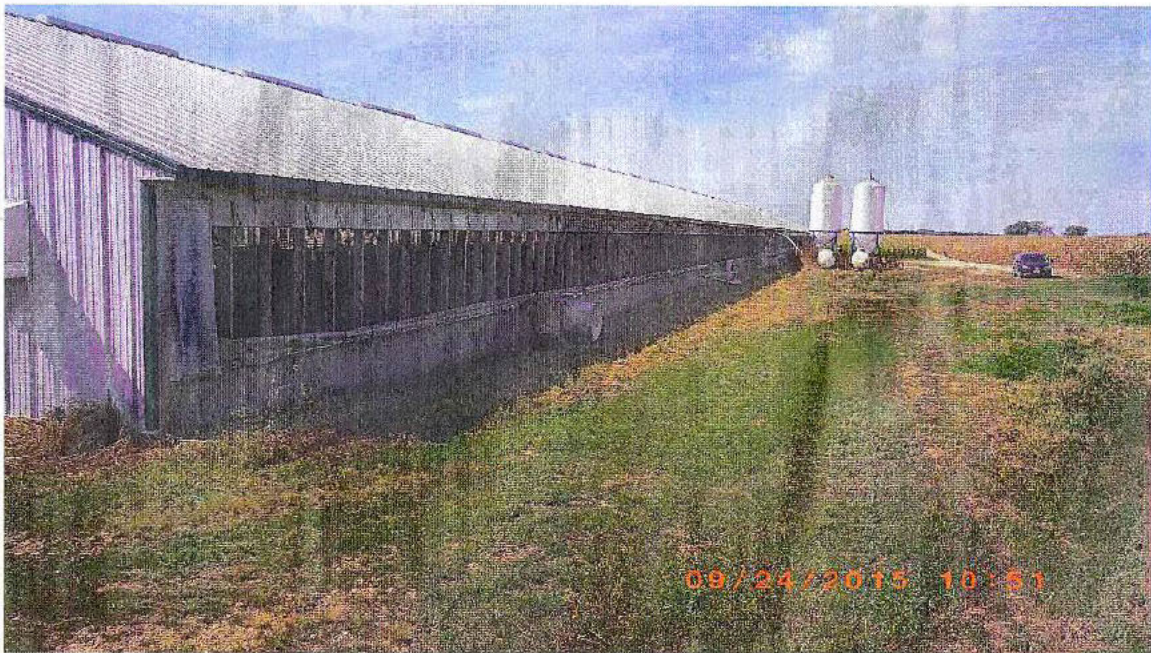


Photo: RIMG0198

Description: Northeast corner of Ex. 6 (Personal Privacy) swine barn

Camera Direction: west

Date/Time: September 24, 2015 at 11:51 AM



Photo: RIMG0199

Description: Ex. 6 (Personal Privacy) mortality compost site

Camera Direction: south

Date/Time: September 24, 2015 at 11:51 AM





Photo: RIMG0200

Description: Southeast corner of Ex. 6 (Personal Privacy) swine barn

Camera Direction: east

Date/Time: September 24, 2015 at 11:53 AM



Photo: RIMG201

Description: West side of Ex. 6 (Personal Privacy) electrical box and stand pipe to drain storm water.

Camera Direction: east

Date/Time: September 24, 2015 at 11:57 AM



## **2.3 Closing Conference and Post-Inspection**

**Table 11: Post Walk-Through**

Were specific "Potential Violations" discussed with facility personnel?	None were observed
Were specific "Areas of Concern" discussed with facility personnel?	Yes
<b>Compliance assistance materials given to facility personnel:</b>	
EQIP Brochure from US Department of Agriculture NRCS	
IEPA Tax Certification Program for Livestock Waste Management Facilities	
U.S. EPA Small Business Resources Information Sheet	
U.S. EPA Concentrated Animal Feeding Operations Final Rulemaking – Fact Sheet	
Exit Time:	12:00 Noon
Disposable Boots Left at Facility?	Yes
Vehicle Washed after leaving facility?	Yes
Date vehicle washed:	Yes 09/24/2015 at around 1:00 -1:30 PM

**Table 12a: Sampling Information**

Were samples taken?	No
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### **3. POTENTIAL VIOLATIONS**

EPA did not observe any potential violations on the day of the inspection.

### **4. AREAS OF CONCERN**

Mortality compost bunker did not have containment for the leachate coming off of the mortality compost pile.

### **5. LIST OF ATTACHMENTS**

A) Aerial photograph of Ex. 6. (Personal Privacy) and Ex. 6. (Personal Privacy) production areas with buildings, waterways and areas of concern.

- Ex. 6. (Personal Privacy) Swine Farm
- Ex. 6. (Personal Privacy) Swine Farm



Ex. 6. (Personal Privacy)

nd(b) (6) Swine Facility

Attachment B

Legend

- Culvert Inlet and outlet
- ← Denuded and burnt pathway from mortality compost bunker to culvert inlet.
- Government car





Ex. 6. (Personal Privacy)

Swine Farm

Attachment B

Mortality compost  
site

2400  
> swine 55 lbs

Map

Garden Plain Township

Illinois

Ex. 6 (Personal Privacy)

Imagery ©2017 Google, Map data ©2017 Google

United States

Terms

Send feedback

200 ft